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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,337	06/14/2001	John M. Harris	CE08989R	7248
22917	7590	02/16/2005	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			TON, ANTHONY T	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/881,337

Applicant(s)

HARRIS ET AL.

Examiner

Anthony T Ton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

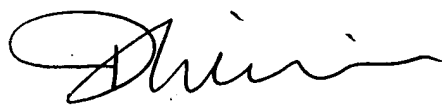
**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_



**PHIRIN SAM**  
**PRIMARY EXAMINER**



## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

Reference “600” is being described in page 7 lines 33-34 and page 8 lines 4-17 of the Applicants’ specification is missing in **Figure 6** of the drawings.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-4, 6, 9 and 15** are rejected under 35 U.S.C. 102(e) as being anticipated by *Wang et al.* (US Patent No. 6,480,504) hereinafter referred to as *Wang*.

a) **In Regarding to Claim 1:** *Wang* disclosed a method for assigning a slot cycle within a communication system, the method comprising the steps of:

determining a first slot cycle for a first plurality of remote units (*see col.1 lines 41-42: those telephones having a number ending in "0" could belong to sleep-mode group 0*);

determining a second slot cycle for a second plurality of remote units (*see col.1 lines 42-43: those ending in "1" to sleep-mode group 1 and so on*);

assigning the first slot cycle to the first plurality of remote units (*see Figs.3 and 4: Timeslots that are associated with Page Group 0*); and

assigning the second slot cycle to the second plurality of remote units (*see Figs.3 and 4: Timeslots that are associated with Page Group 287*).

b) **In Regarding to Claim 2:** *Wang* further disclosed the step of determining the first slot cycle for the first plurality of remote units comprises the step of determining the first slot cycle for a plurality of remote units operating in a first mode (*col.6 lines 44-65: mobiles are in active or waken-up*).

c) **In Regarding to Claim 3:** *Wang* further disclosed the step of determining the second slot cycle for the second plurality of remote units comprises the step of determining the second slot cycle for a plurality of remote units operating in a second mode (*col.6 lines 60-65: sleep mode*).

d) **In Regarding to Claim 4:** *Wang* further disclosed the step of assigning the first slot cycle to the first plurality of remote units comprises the step of transmitting a first message over

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a paging channel, the first message comprising the first slot cycle (*see col.7 lines 3-50: paging channel, remote devices to be awaken only for their assigned paging timeslot or timeslots*).

e) **In Regarding to Claim 6:** *Wang* disclosed method comprising the steps of:  
determining a mode of operation (*see col.1 lines 39-62*);  
receiving a first slot cycle (*col.2 lines 41-61: paging timeslot(s) in which a remote device is awakening*);  
receiving a second slot cycle (*col.6 lines 33-39: idle mobile station reads synchronization symbol in each of a plurality of different numbered timeslots*); and  
using the first slot cycle when operating in a first mode of operation otherwise using the second slot cycle when operating in a second mode of operation (*see col.6 line 44 – col.7 line 12: when a mobile station is active (i.e., powered on) or waken-up (first mode), and when a mobile station is sleeping (second mode)*).

f) **In Regarding to Claim 9:** *Wang* further disclosed the step of using the first slot cycle when operating in a first mode of operation otherwise using the second slot cycle when operating in a second mode of operation further comprises the step of using both the first and the second slot cycles simultaneously when operating in both the first and the second mode (*see col.1 line 63-col.2 line 4*).

g) **In Regarding to Claim 15:** the claimed subject matters of this claim are similar to that of claim 6. Therefore, the rejection to the claim 6 would apply to reject this claim in an apparatus as taught.

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4. **Claims 10-14** are rejected under 35 U.S.C. 102(b) as being anticipated by *Kay et al.* (US Patent No. 5,475,689) hereinafter referred to as *Kay*.

a) **In Regarding to Claim 10:** *Kay* disclosed an apparatus comprising:

first transmission circuitry having as an input, a first slot cycle, the first transmission circuitry broadcasting the first slot cycle to a first plurality of remote units utilizing a first mode of operation (*see Figs.1-3; col.7 line 16 – col.8 line 14; and col.10 lines 49-54*); and

second transmission circuitry having as an input, a second slot cycle, the second transmission circuitry broadcasting the second slot cycle to a second plurality of remote units utilizing a second mode of operation (*see Figs.1-3; col.8 line 15 – col.9 line 42; and col.10 lines 49-54*).

b) **In Regarding to Claim 11:** *Kay* further disclosed the first transmission circuitry is paging channel transmission circuitry (*see col.10 lines 5-9*).

c) **In Regarding to Claim 12:** *Kay* further disclosed the second transmission circuitry is paging channel transmission circuitry (*see col.10 lines 5-9*).

d) **In Regarding to Claim 13:** *Kay* further disclosed the first plurality of remote units comprise remote units operating in a dispatch mode (*see col.7 lines 29-31*).

e) **In Regarding to Claim 14:** *Kay* further disclosed the second plurality of remote units comprise remote units operating in a non-dispatch mode (*see col.8 line 35 – col.9 line 42: non-mobile dispatch station*).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Wang et al.* (US Patent No. 6,480,504) in view of *Rahuel et al.* (US Patent No. 5,452,288) hereinafter referred to as referred to as *Rahuel*.

*Wang* disclosed all aspects of this claim as set forth in claim 1.

*Wang* fails to explicitly disclose the step of broadcasting the second slot cycle to the second plurality of remote units comprises the step of transmitting a second message over the paging channel, the second message comprising the second slot cycle.

*Rahuel* explicitly discloses such a step of broadcasting the second slot cycle to the second plurality of remote units comprises the step of transmitting a second message over the paging channel, the second message comprising the second slot cycle (*see Fig.3: 36; and col.12 line 30-67*).

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such a step of broadcasting the second slot cycle to the second plurality of remote units comprises the step of transmitting a second message over the paging channel, the second message comprising the second slot cycle, as taught by *Rahuel* with *Wang* so that a paging message can be properly received by a non-dispatch remote device. The motivation for doing so would have been to enable a paging receiver to get synchronized and then to regularly monitor

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frames that allocated to such a paging receiver (*see Rahuel: col.13 lines 1-7*). Therefore, it would have been obvious to combine *Rahuel* with *Wang* in the invention as specified in the claim.

7. **Claims 7, 8 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wang et al.* (US Patent No. 6,480,504) in view of *Kay et al.* (US Patent No. 5,475,689).

a) **In Regarding to Claim 7:** *Wang* disclosed all aspects of this claim as set forth in claim 6.

*Wang* fails to explicitly disclose the step of determining the mode of operation comprises the step of determining a mode of operation taken from the group consisting of a dispatch mode of operation and a non-dispatch mode of operation.

*Kay* explicitly discloses such a step of determining the mode of operation comprises the step of determining a mode of operation taken from the group consisting of a dispatch mode of operation and a non-dispatch mode of operation (*see col.7 line 21 – col.8 line 14*).

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such a step of determining the mode of operation comprises the step of determining a mode of operation taken from the group consisting of a dispatch mode of operation and a non-dispatch mode of operation, as taught by *Kay* with *Wang* so that a dispatch call can be sent to an appropriate remote device efficiently. The motivation for doing so would have been to determine which of the members of a dispatch group or fleet call operation are within a zone of coverage of a base station and which mobiles are not (*see Kay: col.2 lines 49-56*). Therefore, it would have been obvious to combine *Kay* with *Wang* in the invention as specified in the claim.



b) **In Regarding to Claim 8:** *Wang* disclosed all aspects of this claim as set forth in claim 6.

*Wang* fails to explicitly disclose disclosed the step of using the first slot cycle when operating in a first mode of operation otherwise using the second slot cycle when operating in a second mode of operation, comprises the step of using the first slot cycle when operating in a dispatch only mode of operation, otherwise using the second slot cycle during a non-dispatch only mode of operation.

*Kay* explicitly discloses such a step of using the first slot cycle when operating in a first mode of operation otherwise using the second slot cycle when operating in a second mode of operation, comprises the step of using the first slot cycle when operating in a dispatch only mode of operation, otherwise using the second slot cycle during a non-dispatch only mode of operation (*see col.8 line 15 – col.9 line 42*).

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such a step of using the first slot cycle when operating in a first mode of operation otherwise using the second slot cycle when operating in a second mode of operation, comprises the step of using the first slot cycle when operating in a dispatch only mode of operation, otherwise using the second slot cycle during a non-dispatch only mode of operation, as taught by *Kay* with *Wang* so that a dispatch call can be sent to an appropriate remote device efficiently. The motivation for doing so would have been to determine which of the members of a dispatch group or fleet call operation are within a zone of coverage of a base station and which mobiles are not (*see Kay: col.2 lines 49-56*). Therefore, it would have been obvious to combine *Kay* with *Wang* in the invention as specified in the claim.

c) **In Regarding to Claim 16:** the claimed subject matters of this claim are similar to that of claim 7. Therefore, the rejection to the claim 7 would apply to reject this claim in an apparatus as taught.


***Examiner Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Anthony T Ton** whose telephone number is **571-272-3076**. The examiner can normally be reached on M-F: 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chau Nguyen** can be reached on **571-272-3126**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully submitted,

by:   
Anthony T. Ton  
Patent Examiner  
February 07, 2005

  
**PHIRIN SAM**  
**PRIMARY EXAMINER**